

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

USDC SDNY
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ELECTRONICALLY FILED
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DATE FILED: 09/19/2023

NORTHFIELD INSURANCE COMPANY,

Plaintiff,

v.

NOA-LIOR, LLC, B.C.N. MANAGEMENT, LLC, BCN DEVELOPMENT NY, LLC, STRUCTURELINE INC., UA BUILDERS GROUP, and HENRY ALEJANDRO PINZON CUELLAR,

Defendants.

This action having been commenced on January 10, 2023, by the filing of the Summons and Complaint; and

A copy of the Summons and Complaint having been served on defendant NOA-LIOR, LLC (“NOA”) on January 18, 2023, by delivery to Sue Zouskey, an authorized agent in the office of the Secretary of State, State of New York, and proof of that service having been filed on January 31, 2023 (Dkt. No. 19); and

A copy of the Summons and Complaint having been served on defendant B.C.N. Management, LLC (“BCN Management”) on January 18, 2023, by delivery to Sue Zouskey, an authorized agent in the office of the Secretary of State, State of New York, and proof of that service having been filed on January 31, 2023 (Dkt. No. 23); and

A copy of the Summons and Complaint having been served on defendant BCN Development NY, LLC (“BCN Development”) on January 18, 2023, by delivery to Sue Zouskey, an authorized agent in the office of the Secretary of State, State of New York, and proof of that service having been filed on January 31, 2023 (Dkt. No. 22); and

Case No. 1:23-cv-00216 (AT)

DEFAULT JUDGMENT

A copy of the Summons and Complaint having been served on defendant Structureline Inc. (“Structureline”) on January 18, 2023, by delivery to Sue Zouskey, an authorized agent in the office of the Secretary of State, State of New York, and proof of that service having been filed on January 31, 2023 (Dkt. No. 20); and

A copy of the Summons and Complaint having been served on defendant UA Builders Group (“UA Builders”) on January 18, 2023, by delivery to Sue Zouskey, an authorized agent in the office of the Secretary of State, State of New York, and proof of that service having been filed on January 31, 2023 (Dkt. No. 21); and

A copy of the Summons and Complaint having been served on defendant Henry Alejandro Pinzon Cuellar (“Pinzon Cuellar”) on January 27, 2023, by delivery to a household member of suitable age and discretion, and proof of that service having been filed on February 20, 2023 (Dkt. No. 24); and

Defendants NOA, BCN Management, BCN Development, Structureline, UA Builders, and Pinzon Cuellar not having answered the Complaint, and their time for answering the Complaint having expired, it is hereby

ORDERED, ADJUDGED, and DECREED that default judgment is granted against Defendants NOA, BCN Management, BCN Development, Structureline, UA Builders, and Pinzon Cuellar, declaring that:

- (1) No coverage is owed under the policy of insurance issued by Northfield to NOA for the policy period February 26, 2020 to August 5, 2021 (the “Northfield Policy”) to NOA or any other Defendant in connection with the underlying lawsuit styled *Henry Alejandro Pinzon Cuellar v. NOA-LIOR, LLC, et al.*, pending in the Supreme Court of the State of New York, County of Bronx, Index No. 809464/2021E (the “Underlying Action”);
- (2) Northfield owes no duty to defend NOA or any other Defendant in connection with the Underlying Action;

- (3) Northfield owes no duty to indemnify NOA or any other Defendant in connection with the Underlying Action;
- (4) Northfield is not liable to pay or satisfy any claims, judgments, or awards against NOA or any other Defendant in connection with the Underlying Action; and
- (5) Northfield may withdraw its defense of NOA in the Underlying Action.

Dated: New York, New York
September 19, 2023



Hon. Analisa Torres, U.S.D.J.